



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 91**

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

H91-ATC-101 [v.8]

Page 1 of 3

Amends Title [NO]
H91-CSTCf-47

Date _____, 2021

Senator McInnis

1 moves to amend the bill on page 2, line 18, by deleting the word "adopt" and substituting the
2 word "include";

3
4 and on page 2, lines 22-26, by rewriting those lines to read:

5
6 "G.S. 115C-407.65 and G.S. 115C-407.70.";

7
8 and on page 3, line 50, through page 4, line 18, by rewriting the lines to read:

9
10 "(1) Nine members appointed by the Governor as follows:

11 a. No more than three appointees total may be from each of the following
12 categories:

13 1. Athletic director.

14 2. Superintendent or assistant or associate superintendent.

15 3. Principal or assistant principal.

16 4. Full-time employee serving as a coach.

17 b. No more than three appointees total shall be from a single athletic
18 division adopted as provided in G.S. 115C-407.80(a)(2).

19 (2) Four members appointed by the General Assembly, upon the recommendation
20 of the President Pro Tempore of the Senate, as follows:

21 a. No more than two appointees total may be from each of the following
22 categories:

23 1. Athletic director.

24 2. Superintendent or assistant or associate superintendent.

25 3. Principal or assistant principal.

26 4. Full-time employee serving as a coach.

27 b. No more than two appointees total shall be from a single athletic
28 division adopted as provided in G.S. 115C-407.80(a)(2).

29 (3) Four members appointed by the General Assembly, upon the recommendation
30 of the Speaker of the House of Representatives, as follows:

31 a. No more than two appointees total may be from each of the following
32 categories:



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1 1. Athletic director.

2 2. Superintendent or assistant or associate superintendent.

3 3. Principal or assistant principal.

4 4. Full-time employee serving as a coach.

5 b. No more than two appointees total shall be from a single athletic
6 division adopted as provided in G.S. 115C-407.80(a)(2).";

7
8 and on page 5, line 4, by deleting the word "calendar" and substituting the word "calendars";

9
10 and on page 6, lines 33, 38, and 42, by deleting the word "participant" and substituting the word
11 "participating";

12
13 and on page 7, line 5, by deleting the word "student" and substituting the word "students";

14
15 and on page 10, line 7, by deleting the phrase "student participation" and substituting the word
16 "gameplay";

17
18 and on page 10, lines 23-41, by rewriting those lines to read:

19
20 **"SECTION 1.(e)** The State Board of Education shall not designate the North
21 Carolina High School Athletic Association (NCHSAA) as the designated organization to apply
22 and enforce the State Board of Education's rules governing participation in interscholastic athletic
23 activities at the high school level for the 2021-2022 school year unless the NCHSAA agrees to
24 discontinue all financial penalties for rules violations for participating schools during the
25 2021-2022 school year through a memorandum of understanding signed by August 15, 2021.

26 **SECTION 1.(f)** In the event the NCHSAA is not designated by the State Board of
27 Education to apply and enforce the State Board of Education's rules governing participation in
28 interscholastic athletic activities at the high school level for the 2021-2022 school year, or if the
29 NCHSAA elects to not be the State Board of Education's designee, the State Board of Education
30 shall direct the Department of Public Instruction to apply and enforce its rules for high schools
31 for the 2021-2022 school year. Notwithstanding the requirements of Article 2A of Chapter 150B
32 of the General Statutes, the Department of Public Instruction shall apply and enforce the existing
33 rules adopted by the State Board of Education as of July 1, 2021, and the existing rules and
34 policies adopted by the NCHSAA as of July 1, 2021, for the 2021-2022 school year, with the
35 exception that the Department of Public Instruction shall not apply any financial penalties for
36 rules violations for participating schools during the 2021-2022 school year. The State Board of
37 Education is authorized to charge participating schools reasonable fees to cover the costs of
38 administration for the 2021-2022 school year. The State Board of Education may use fees
39 collected from participating schools to contract with an independent contractor with experience
40 in managing athletics competitions for students of high school age to assist with administration
41 of interscholastic athletic activities for the 2021-2022 school year.";

42

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1 and on page 11, line 7, by deleting the phrase "Notwithstanding G.S. 115C-407.75," and
2 substituting the phrase, "Notwithstanding the terms of office and division requirements of
3 G.S. 115C-407.75,";

4
5 and on page 11, lines 33-37, by rewriting those lines to read:

6
7 **"SECTION 1.(k)** The Commission shall study and make findings and
8 recommendations on the following issues, and report on its findings and recommendations to the
9 State Board of Education and the Joint Legislative Education Oversight Committee by April 1,
10 2022:

- 11 (1) Whether the Commission should be responsible for overseeing the conduct of
12 middle school interscholastic athletics for public school units, including
13 enforcing student participation rules and adopting and enforcing gameplay
14 rules. The Commission shall include in its deliberations an examination of
15 the potential costs to public school units for oversight of middle school
16 interscholastic athletics by the Commission. The Commission shall establish
17 workgroups of athletic directors, principals, and coaches employed by schools
18 serving students in grades six through eight, and parents of students in grades
19 six through eight to provide input to the Commission on this recommendation.
20 (2) Factors that should be considered in home school students' participation in
21 interscholastic athletics, including how to address insurance and liability
22 issues for those students while participating in interscholastic athletics. The
23 Commission shall establish workgroups of athletic directors, principals, and
24 parents of home schooled students to provide input to the Commission on this
25 recommendation.

26 **SECTION 1.(l)** The Commission shall provide information to all public school units
27 in the State on the adopted rules and fees no later than February 28, 2022.

28 **SECTION 1.(m)** This section is effective when it becomes law. Subsection (a) of
29 this section applies beginning with interscholastic athletic competitions occurring during the
30 2022-2023 school year."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____